

Patent
Attorney Docket No. 015291-146

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
Elizabeth Colbert et al.
Application No.: 10/824,336
Filing Date: April 14, 2004
Title: COATING FOR WALL CONSTRUCTION

Group Art Unit: 1714
Examiner: Unassigned
Confirmation No.: 5383

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In complete response to the Notice to File Missing Parts of Application filed Under 37 C.F.R. § 1.53(b) dated June 23, 2004, enclosed please find:

- ☒ a Combined Declaration and Power of Attorney signed by the inventor(s);
☐ Note that the inventor/inventors identified on the concurrently filed Combined Declaration and Power of Attorney is/are different than listed on the application filing papers.
- ☐ an Application Data Sheet;
- ☒ the surcharge of ☐ \$65.00 (2051) ☒ \$130.00 (1051) as set forth in 37 C.F.R. § 1.16(e);
- ☐ a Request for Refund;
- ☐ a Petition for Extension of Time;
- ☐ a verified English translation of the Application, and the \$130.00 (1053) fee as set forth in 37 C.F.R. § 1.17(k);
- ☐ an Assignment document and a separate check for the \$40.00 (8021) Assignment recordation fee;
- ☐ drawings for publication;
- ☐ IDS;
- ☐ a certified copy of the priority document; and
- ☒ other Statutory basic filing fee of \$770.00.
Additional claims fees of \$766.00.

BURNS DOANE
BURNS DOANE SWECKER & MATHIS LLP
INTELLECTUAL PROPERTY LAW

TRANSMITTAL LETTER FOR MISSING PARTS
OF APPLICATIONPage 1 of 2
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Application No. 10/824,336

- ☐ A check in the amount of _____ for the fee due for missing parts is enclosed.
- ☒ Charge \$ 1,666.00 to Deposit Account No. 02-4800 for the fee due for missing parts.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.
- ☐ Small entity status is hereby claimed.



The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(919) 941-9240

By Mary B. Grant
Mary B. Grant
Registration No. 32,176

Date: July 26, 2004

I hereby certify that this correspondence is being submitted by facsimile transmission to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to the following facsimile number:

Facsimile Number: 1-703-746-4060

Date of Transmission: 7/26/04

Amy J. Martin
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BURNS DOANE

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OF APPLICATION

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824.336	04/14/2004	Elizabeth Colbert	015291-146

CONFIRMATION NO. 5383

FORMALITIES LETTER

OC00000013045570

21839
BURNS DOANE SWECKER & MATHIS L L P
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

Date Mailed: 06/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/27/2004 JBALINAN 00000076 024800 10824336

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA
02 FC:1051 130.00 DA
03 FC:1201 172.00 DA
04 FC:1202 594.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$766 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:


Total additional fee(s) required for this application is \$1666 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$766

- \$172 for 2 independent claims over 3.
- \$594 for 33 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE